

**MINUTES OF THE
SELMA CITY COUNCIL
DECEMBER 10, 2007
5:35 P.M.**

Call to Order

Invocation: Reverend Donald New
Salvation Army

Moment of Silence

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, December 10, 2007 at 5:35 p.m.

ROLL CALL

The following members were present during roll call: Council President George Evans and Council members Cecil Williamson, Reid Cain, Jean T. Martin, Geraldine Allen, Samuel Randolph, Johnnie M. Leashore, Bennie R. Crenshaw and Jannie M. Venter. Others present were Mayor James Perkins, Jr., City Clerk Lois Williams, City Attorney Jimmy Nunn, City Treasurer Cynthia Mitchell, and the Mayor's Executive Assistant Darlene Rudolph.

APPROVAL OF AGENDA

President Evans asked for the approval of the agenda items. A motion was made by Councilman Leashore and seconded by Councilman Randolph to approve the agenda as written. **The motion carried with a unanimous (show of hands) vote of the Council.**

APPROVAL OF MINUTES

After approval of the agenda, President Evans asked for a motion to approve the minutes of the November 26, 2007 Regular meeting. A motion was made by Councilwoman Martin and seconded by Councilwoman Allen to approve the minutes of November 26, 2007. **The motion carried with a unanimous (show of hands) vote of the Council.**

President Evans also asked for a motion to approve the minutes of the November 19, 2007 Regular meeting. A motion was made by Councilman Randolph and seconded by Councilwoman Martin to approve the minutes of November 19, 2007. **The motion passed with a unanimous (show of hands) vote of the Council.**

***SPECIAL PRESENTATIONS**

***Selma City Council-Selma City School Tennis Program**

***NLC-Municipal Award of Excellence-Community Outreach, TRUSTBuild Initiative**

***Youth Ambassadors - Holiday Wishes**

CITIZENS' REQUESTS

Mrs. Mallieve Breeding
Re: Selma Community Pride

MAYOR'S REPORT

A. Resolution #R139-07/08 Authorization to Post Bids-Water Avenue Clean-up. Mayor Perkins stated the Council has packages that contain resolution #R139-07/08, which is a resolution that would provide the authorization to proceed with the next step on the clean-up of the collapsed building. Mayor Perkins stated there is a letter attached with the resolution from CDBG Community Enhancement Fund, which he read in its entirety. Ms. Charlotte Griffeth, Planning and Development Director, addressed the Council answering Councilman Williamson's question, that the amount of matching funds is \$50,000.00. A motion was made by Councilman Leashore and seconded by Councilwoman Crenshaw to approve the said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

B. Resolution #R112-07/08 New Street on Etheridge-Project LASSO. Mayor Perkins stated resolution #R112-07/08 was presented to the Council in October, and it is now time to move forward with this phase of the project. Mayor Perkins stated the appropriation of money for this project will be coming from the State Municipal Excise Tax (11.4000.4002.41), accumulated fund balance, in the amount of \$460,000.00. Mayor Perkins stated this supports the new street; the extension of Etheridge Street in the Bush Hog Project, AKA, Project LASSO. A motion was made by Councilman Leashore and seconded by Councilwoman Venter to approve the said resolution. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were eight affirmative votes and one nay vote. Councilman Williamson cast a nay vote.**

MAYOR'S REPORT

C. Bellsouth - Phase III - Lease Agreement. Mayor Perkins stated Ms. Lois Williams, City Clerk, will address the Council regarding the telephone system. Ms. Williams addressed the Council stating this item was discussed briefly in the work session on Thursday, and during discussion, Ms. Williams stated proposals have been obtained from Bellsouth in the amount of \$63,802.77 with financing, which comes to \$1,329.22 per month for 48 months, and further stated that \$15,950.00 of the lease agreement has already been allocated in the IT Department budget line item for FY 2007-2008. A motion was made by Councilman Leashore and seconded by Councilman Randolph to approve the said lease agreement in the amount of \$63,802.77 to be paid from the IT Department Fixed Asset Account 1.6115.430.4. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were eight affirmative votes and one nay vote. Councilman Williamson cast a nay vote.**

D. Police Department Evaluation Report - Dr. Ioimo. Mayor Perkins stated at this time, he would like to ask Dr. Ioimo to address the Council, who is prepared to provide another phase of his deliverable for this contract on the Police Department Study. Dr. Ioimo addressed the Council as per his prepared PowerPoint presentation, which has also been distributed to the Council.

E. Resolution R137-07/08 - Patty Sexton's Retirement (Val Jones). Mayor Perkins asked Ms. Valeria Jones, Personnel Director, to address the Council regarding this matter. Ms. Jones addressed the Council and read resolution #R137-07/08 in its entirety. Following discussion, a motion was made by Councilman Leashore and seconded by Councilwoman Martin to approve the said resolution to pay the RSA on behalf of Mrs. Patty Sexton, a total of \$9,375.57 from the General Government RSA account (1.6000.100.57). **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

F. Letter to Mayor Perkins from City Clerk Lois Williams. Mayor Perkins stated and read a letter, in its entirety, from Ms. Lois Williams, City Clerk, announcing her elected position as Treasurer of the AAMCA for the upcoming year 2008-2009.

G. Letter to Chief Martin from A.M.I.C. and M.W.C.F., Inc. Mayor Perkins stated and read a letter, in its entirety, from the Alabama Municipal Insurance Corporation and the Municipal Workers Compensation Fund, addressed to Chief Martin, commending the City of Selma's Loss Control Policy, and for his training and leadership in the Police Department.

H. St. James Roof Re-evaluation/St. James Financial Report. Mayor Perkins stated if the Council recalls, Ms. Williams, City Clerk, was asked to "backtrack" on the insurance for damages sustained during the hurricane, because we felt that the City of Selma had not been treated fairly. Mayor Perkins stated Ms. Williams was able to pull an additional \$32,983.00 from the insurance company on the claims of the roof damage during Hurricane Ivan and commended the same. Mayor Perkins further stated he would like to ask Ms. Charlotte Griffeth, Planning and Development Director, to also present the remainder of the financial report on the St. James. Ms. Griffeth addressed the Council as per the St. James Operating Fund report distributed to the Council. During discussion, Ms. Griffeth further stated she would like to ask the Council for approval of several unforeseen items, such as the new fire code sprinkler, etc, in need of repairs in the amount of \$8,351.75. A motion was made by Councilman Leashore and seconded by Councilwoman Crenshaw to approve the said amount for additional repairs at the St. James to be taken from the "unappropriated fund balance from the previous year". **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

I. Acceptance of Bids on St. James Roof Repair. A motion was made by Councilman Leashore and seconded by Councilwoman Allen to approve acceptance of bids for the St. James roof repair. **The motion carried with a unanimous (show of hands) vote of the Council members present. Councilwoman Venter was absent from the Chambers at the time of the vote, however, upon her return she voted affirmatively.**

J. Reports. Mayor Perkins stated to Council to note that they have been given the Police Incident Report, Loud Noise Report, Financial Report for the month, Restitution Payment Report, Open Invoice Report, Check Register, Budget-to-Actual Report-Revenue and Budget-to-Actual Report-Expenditures.

K. Holiday Observance. President Evans stated to Mayor Perkins that there should certainly be an understanding with him regarding the holiday observance for our employees. Following discussion, a motion was made by Councilwoman Crenshaw and seconded by Councilwoman Allen to approve the extension of the Holiday Observance to Wednesday, December 26th, which would give employees Monday, December 24th, Tuesday, December 25th and Wednesday, December 26th for the Christmas Holiday. **A roll call vote was taken and the motion passed with a majority vote of the Council. There were six**

MAYOR'S REPORT

affirmative votes and three nay votes. Councilman Williamson, Councilman Cain and Councilman Leashore both cast a nay vote.

L. Personnel Department (Update on Salary Raises and Increases). Mayor Perkins stated Ms. Valeria Jones, Personnel Director, was asked a question specific to this issue and asked Ms. Jones to come forward to provide an answer at this time. Ms. Jones stated to President Evans that the update on any salary raises or increases for budget year 2007-2008 is, "as you know", a three percent raise across the board was given to all non-exempt employees with only one exception, in the Personnel Department, which she discussed in detail at the last meeting. Ms. Jones further stated, as far as other raises are concerned, a five percent raise, across the board, was granted to all sworn certified officers, with the exception of one officer, who was at the maximum level for his salary range.

M. Bond Questions. President Evans stated a bond questionnaire has been circulated to the Council in case of additional questions to address before February. Mayor Perkins added that the Investment Banker, Mr. Robert Thomas, will be in town on Wednesday, December 12, 2007, and he has agreed to spend one hour and a half on the radio (WHBB) to answer any questions that citizens may have about the bond.

CITY ATTORNEY'S REPORT

A. Resolution #R138-07/08 Special Use Permit-Wireless Telecommunications. Attorney Nunn stated he would like to ask Ms. Mignon Bowers to come forward to address the Council regarding resolution #R138-07/08. Attorney Nunn stated Unicel has submitted an application to co-locate on the water tower at 2101 Jeff Davis Avenue. Following Ms. Bowers address to the Council and a brief discussion, a motion was made by Councilman Leashore and seconded by Councilwoman Allen to approve the said resolution. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present. There were eight affirmative votes. Councilwoman Crenshaw was absent from the Chambers at the time of the vote.**

B. Ordinance #O102-07/08 - Business License Code 2008. Attorney Nunn stated during last Council meeting there was a public hearing regarding a much-debated issue dealing with the Business License and the Legislative Act 2006-586. Attorney Nunn stated per request, the City Council does not want to revise the existing law as it stands with our business license. During discussion, Attorney Nunn stated there are two issues that must be done, which he read as per ordinance #O102-07/08 to the Council. Following discussion, a motion was made by Councilwoman Martin and seconded by Councilman Leashore to suspend the rules to adopt the said ordinance. **A roll call vote was taken and the motion passed with a unanimous vote of the Council members present. Councilwoman Crenshaw was absent from the Chambers at the time of the vote.** A motion was then made by Councilman Leashore and seconded by Councilwoman Martin adopt the said ordinance. **A roll call vote was taken and the motion passed with a unanimous vote of the Council. Councilwoman Crenshaw returned to the Chambers at the time of this vote.**

C. Pending Litigation. Attorney Nunn distributed to the Council, a copy of the listing of pending litigation against the City of Selma.

D. Ordinance #O103-07/08 - Selma Fire Code. Attorney Nunn stated the Council has been given a copy of ordinance #O103-07/08 establishing and regulating the Fire Codes for the City of Selma. Attorney Nunn stated a Public Hearing was held today at 4:00 p.m., copies of the Fire Code Manuals are available for review in the Building Inspector's Office, and the Council is asked to place this ordinance on first reading. Following a brief discussion, a motion was made by Councilwoman Martin and seconded by Councilman Leashore to place the said ordinance on first reading. **The motion carried with a unanimous (show of hands) vote of the Council.**

E. Resolution #R118-07/08 Municipal Bond Election Appointment of Alternate. Attorney Nunn stated the council has been given a copy of resolution #R118-07/08 for the appointment of an alternate person to perform election duties. A motion was made by Councilman Leashore and seconded by Councilwoman Crenshaw to approve the said resolution. **The motion carried with a unanimous (show of hands) vote of the Council.**

F. Liquor License Applications. Attorney Nunn stated the Council has been given two liquor license applications to be placed on first reading. Attorney Nunn stated that both applications are for PUJA, LLC, #209, located at 602 Broad Street and #210, located at 215 W. Highland Avenue. A motion was made by Councilwoman Martin and seconded by Councilwoman Allen to place both applications on first reading. **The motion carried with a unanimous (show of hands) vote of the Council.**

CITY ATTORNEY'S REPORT

G. Deed - Farmer's Market Agreement. Attorney Nunn stated the City has received the deed for this property (Farmer's Market), which is in the name of the City of Selma.

H. Deed - Jeff Davis Property. Attorney Nunn stated the City has also received the deed for property purchased by the City of Selma from the State of Alabama, located at 2001 Jeff Davis.

I. Elected School Board. Attorney Nunn stated he would proceed on this matter per consensus of the Council. Attorney Nunn stated the next step would be to discuss this matter with the Legislature. Councilman Leashore stated, with consensus of the Council, that Attorney Nunn has been directed to meet with the Legislature. During further discussion, President Evans read the results of the voting of the PTO groups, and stated there is a clear indication that the citizens are in favor of an elected school board.

J. Vacation of Street. Attorney Nunn stated he would like to mention that the next scheduled Public Hearing for vacating the street, dealing with the Bush Hog improvements, will be held on Thursday, December 13, 2007 at 5:00 p.m. Councilman Leashore stated a public forum for citizens would be held on tomorrow, December 11, 2007, at Green Street Baptist Church at 6:00 p.m.

BUSINESS ITEMS:

I. STOLEN MILLION DOLLARS

President Evans stated an update on this item is indicated in the reports given to the Council.

II. NOISE ORDINANCE

President Evans stated the Council has been given an update from the Police Chief, and it indicates there have been improvements in the noise in our city.

III. UPDATE ON HOLLMAN'S CASE

Attorney Nunn stated he has spoken with Attorney Jackson, who has spoken with the family and also indicated that the AG's Office has been contacted regarding the information submitted. Attorney Nunn stated their response has been that they are working with other cases pending as well, and the District Attorney asks that the City be patient until a decision is made.

IV. SICKLE CELL UTILIZATION OF OFFICE SPACE IN GOOD SAMARITAN BUILDING

Councilman Leashore stated Mrs. Mills has contact Sickle Cell Officials via email to share the recommendation of the Administrative Committee and he awaits her reply.

V. RULES AND PROCEDURES FOR GOVERNING THE DELIBERATIONS AND MEETINGS OF THE CITY COUNCIL (SECTION 33)

President Evans asked the Council's pleasure for this item. A motion was made by Councilwoman Martin and seconded by Councilman Randolph to continue this item until the next meeting. **The motion carried with a majority (show of hands) vote of the Council. There were eight affirmative votes and one opposed. Councilwoman Crenshaw opposed.**

VI. SELMA CITY SCHOOL BOARD APPOINTMENTS

President Evans stated this item was tabled at the last Council meeting. Following a repeated discussion, a motion was made by Councilman Cain and seconded by Councilman Williamson to remove this item, Selma City School Appointments, from the agenda until further information can be obtained from someone from the prevailing side for reconsideration. **A roll call vote was taken and the motion passed with a majority vote of the Council members present. There were seven affirmative votes and one nay vote. Councilman Leashore cast a nay vote and Councilwoman Crenshaw was absent from the Chambers at the time of the vote.**

VII. NEXT MEETING DATE

President Evans stated it is the consensus of the Council that the next meeting will be held on the second Monday in January 2008.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE – Councilman Leashore, Chairperson

No Report.

ADMINISTRATIVE COMMITTEE – Councilman Dr. Cecil Williamson, Chairperson

Councilman Williamson stated an application for Appointment of Municipal Judge was received from Attorney Joseph Haygood, who is present tonight, by the November 20th deadline, and also received one from Attorney Vaughn Russell on November 26th. Councilman Williamson stated the committee has met and they recommend that Attorney Haygood be elected Municipal Court Judge to fill the unexpired term of Judge Chittom, which ends in September 2008. A motion was made by Councilman Williamson and seconded by Councilman Cain to appoint Attorney Haygood to carry out this unexpired term. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

PUBLIC SAFETY COMMITTEE – Councilwoman Dr. Geraldine Allen, Chairperson

No Report.

COMMUNITY DEVELOPMENT COMMITTEE – Councilwoman Bennie Ruth Crenshaw, Chairperson

No Report.

PUBLIC WORKS COMMITTEE – Councilwoman Venter, Chairperson

Councilwoman Venter stated she would like to invite her colleagues, on Saturday, December 15th for the “big” Grand Opening in Ward 8, a ribbon cutting at 10:00 a.m., for the First Kingdom Community Federal Credit Union located at 1705 Selma Avenue.

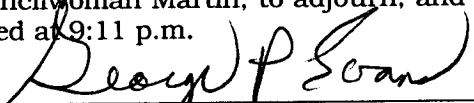
DISCRETIONARY FUNDS COMMITTEE – President Evans, Chairperson

No Report.

CLOSING REMARKS BY EACH COUNCIL MEMBER.

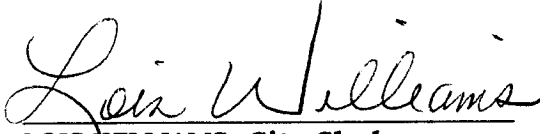
ADJOURNMENT

There being no further business to come before the Council, a motion was made by Councilman Leashore, and seconded by Councilwoman Martin, to adjourn, and by unanimous consent of the Council, this meeting adjourned at 9:11 p.m.



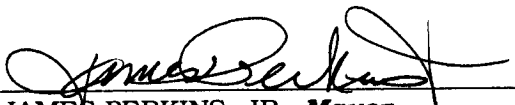
GEORGE P. EVANS, **Council President**

ATTEST:



LOIS WILLIAMS, **City Clerk**

APPROVED:



JAMES PERKINS, JR., **Mayor**